

FOR IMMEDIATE RELEASE

October 10, 2002

Contact:

*Lawrence J. Goodrich, Communications Director, (202) 523-3240, ext. 27*

WASHINGTON - The U.S. Commission on International Religious Freedom, an independent federal agency advising the Administration and Congress, today issued a statement on Afghanistan, recommending that President George W. Bush or Secretary of State Colin L. Powell immediately appoint a high-level Special Envoy to advance human rights protections in Afghanistan.

"A human rights envoy is critical to ensure that the protection of human rights, including religious freedom, is a key element in the Administration's strategy for regime change and political reconstruction in Afghanistan," said Commission Chair Felice D. Gaer. The text of the statement follows.

### **A Statement of the U.S. Commission on International Religious Freedom**

The President or Secretary of State should immediately appoint a high-level Special Envoy to advance human rights protections in Afghanistan. Despite the huge amount of military and foreign-assistance resources the United States is devoting to Afghanistan, the U.S. government is not making a similar investment in diplomatic resources to promote human rights and related freedoms. This is a serious omission in the Administration's strategy for regime change and political reconstruction. The Special Envoy should be appointed now, while it still is possible to influence the development of Afghanistan's new political and legal institutions.

The Commission is alarmed by mounting evidence that Afghanistan is being reconstructed - without significant U.S. opposition - as a state with oppressive crimes and punishments derived from an extreme interpretation of Shariah, as well as a religious law-enforcement apparatus and police. Already a number of developments justify an urgent focus by the United States on

human rights issues. Among them:

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The reported establishment of two separate religious police organizations, one by the Supreme Court and another by the Karzai government, to ensure Afghans follow specific religious practices and, in some cases, to use coercive measures of punishment against those that do not conform.

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Statements by the Chief Justice that amputations and other abusive corporal punishments under Shariah would continue. Proposed reforms, such as private, versus public, trials and amputations do not transform such cruel and inhuman punishments into acts that meet international standards. The Chief Justice's other statements have affirmed that non-Muslims who refuse to convert or to obey Islam should be executed, along with non-Muslims who do not cease to propagate their faith or leave the country.

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The appointment to the Judicial Commission of a majority that favored a strict and possibly extreme interpretation of Shariah, which could be used to impose impermissible coercive measures against women and repress religious minorities. That commission has since been dissolved and is awaiting new appointees.

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The ouster of Sima Samar as Minister of Women's Affairs on charges of "blasphemy" (later found to be groundless).

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Reports of the continuing practice of forced marriage and other human rights abuses against women, often with the support of the police and courts.

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An increase in warlordism, giving more power to unaccountable persons who rule by intimidation, rather than by popular consent.

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The assassination of Vice President Abdul Qadir, the absence of a credible investigation, and the failure to arrest and prosecute the perpetrators.

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Maltreatment of prisoners, including reports of incidents resulting in mass deaths, about which there have been no credible investigations.

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The numerous deprivations and abuses faced by returning refugees and internally displaced persons, and the reportedly forced repatriation of Afghan refugees from sanctuaries in Iran, said to be imminent.

The Special Envoy should be stationed at the U.S. Embassy in Kabul with the sole responsibility to promote, coordinate, monitor, and report on the implementation by the Afghan Transitional Authority of human rights, including religious freedom. The Special Envoy should ensure that U.S. resources are used effectively to promote a greater respect for human rights, and to the extent possible, that the same is true for the United Nations and other donors. It is important that the Special Envoy have high visibility and the President's confidence.

The Special Envoy also could help ensure that recovery and reconstruction assistance is provided in accordance with UN Security Council Resolution 1401 (2002) to those parts of the country "where local authorities contribute to the maintenance of a secure environment and demonstrate respect for human rights...." This could help strengthen the Afghan central government and reduce the influence of warlords.

Recent history has demonstrated the central importance of human rights, including religious freedom, and the rule of law to societies across the globe. During the current transitional period in Afghanistan, the basic building blocks of a new government and society are being put in place. It is essential to ensure that the protection of human rights, including religious freedom, be incorporated properly into the legal instruments of that country and implemented in practice throughout Afghan society.

For more information about these issues, please see the Commission's [June 2002 report on Afghanistan](#).

**The U.S. Commission on International Religious Freedom** was created by the International Religious Freedom Act of 1998 to monitor the status of freedom of thought, conscience, and religion or belief abroad, as defined in the Universal Declaration of Human Rights and related international instruments, and to give independent policy recommendations to the President, the Secretary of State and the Congress.

Felice D. Gaer  
- Michael K. Young